

Creation and powers of the Collin County Water Authority
(SB 993 by Lyon/Campbell)

DIGEST: SB 993 would have created the Collin County Water Authority as a conservation and reclamation district. The authority, administered by a five member board of directors appointed by the commissioners court, would have had the powers of conservation and reclamation districts described in Art. 16, sec. 59 of the Texas Constitution as well as those applicable to water control and improvement districts and to municipal utility districts. Additionally, the authority could have issued bonds without an election. It could not have levied or collected ad valorem taxes or adopted rules and regulations that conflicted or were inconsistent with Chapter 13, Water Code. SB 993 would have allowed the county commissioners court, upon approval by the board of directors, to create subdistricts under the authority.

GOVERNOR'S
REASON
FOR VETO:

The amount of authority SB 993 grants to a local authority, including the power to issue bonds without voter approval and to create subdistricts possessing water and sewer powers within the county, would be an abridgement of what are generally recognized as state functions. The review of bond issuances by water-related authorities and the authority to create such districts are generally recognized as state functions and are currently vested in the Texas Water Commission. Granting a local authority these powers, including supervisory powers, is not consistent with the necessity for strong state oversight of water-related districts.

RESPONSE: Sen. Ted Lyon, the author of SB 993, had no comment.

NOTES: SB 993 passed the House on the Consent Calendar and was not analyzed in a Daily Floor Report.

During the first called session, the Legislature enacted SB 23 by Lyon, which was the same as SB 993 except that all subdistrict bonds would have to be approved by the Texas Water Commission and those backed by ad valorem taxes would have to be approved by subdistrict voters. The House Research Organization analysis of SB 23 appeared in the July 11 Daily Floor Report.